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USPTO

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PTO/SB/88 (03-09)

Approved for use through 03/31/2012. OMB 0651-0018

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))		Docket Number (Optional)
Mail to: Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Fax: (571) 273-8300		56948CON(72021)
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
Patent No. <u>6,916,830</u>	Application Number <u>10/824,826</u>	
Issue Date <u>July 12, 2005</u>	Filing Date <u>April 15, 2004</u>	
CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.368(c) and (d).		
Also complete the following information, if applicable:		
The above-identified patent:		
<input type="checkbox"/> is a reissue of original Patent No. _____, original issue date _____; original application number _____; original filing date _____.		
<input type="checkbox"/> resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____ filed on _____.		
		03/26/2010 DALLN 00000031 041105 6916830 01 FC:1599 2628.00 DA  Adjustment date: 05/27/2010 CKHLOK 03/26/2010 DALLN 00000031 041105 6916830 01 FC:1599 2628.00 CR

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NO. 8559 P. 5

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PTO/SB/66 (03-09)

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## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☒ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity				Small Entity			
Amount	Fee	(Code)		Amount	Fee	(Code)	
<input checked="" type="checkbox"/> \$ 980.00	3 ½ yr fee	(1551)		<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)	
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)		<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)	
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)		<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)	

MAINTENANCE FEE BEING SUBMITTED \$ 980.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(f)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 1,640.00

## 5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ \_\_\_\_\_☒ Please charge Deposit Account No. 04-1105 the sum of \$ 2,620.00☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 04-1105

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NO. 8559 P. 6

PTO/SB/66 (03-09)

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## 7. OVERPAYMENT

As to any overpayment made please

☒ Credit to Deposit Account No. 04-1105

OR

☐ Send refund check.

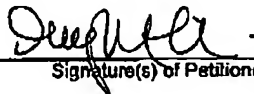
## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional as shown in the attached Petition for Revival of a Patent Abandoned Unintentionally.

## 9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

Dwight D. Kim, Ph.D.  
Typed or printed name(s)

(617) 517-5588  
Telephone Number

EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874  
Boston, Massachusetts 02205

Address

March 24, 2010  
Date

57,665  
Registration Number, if applicable

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES:

☒ Maintenance Fee payment☒ Surcharge under 37 CFR 1.20(f)(2) (fee for filing the maintenance fee petition)☒ Fee Transmittal, Fax Cover Sheet, Certificate of Transmission and Petition